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7 Eric Rockwell, and Travis Snyder

8 **UNITED STATES DISTRICT COURT**

9 **DISTRICT OF NEVADA**

10 ***

11 ANTHONY MITCHELL, LINDA
MITCHELL, and MICHAEL MITCHELL,

12 Plaintiffs,

13 vs.

14 CITY OF HENDERSON, NEVADA; JUTTA
15 CHAMBERS, individually and in her capacity
as Chief of the Henderson Police Department;
16 GARRETT POINER, RONALD FEOLA,
RAMONA WALLS, ANGELA WALKER,
17 and CHRISTOPHER WORLEY, individually
and in their official capacities as Henderson
18 police officers; CITY OF NORTH LAS
VEGAS, NEVADA; JOSEPH CHRONISTER,
19 individually and in his official capacity as
Chief of the North Las Vegas Police
20 Department; MICHAEL WALLER, DREW
ALBERS, DAVID CAWTHORN, ERIC
21 ROCKWELL, F/N/U SNYDER, individually
and in their official capacities as North Las
22 Vegas Police Officers; JANETTE R. REYER-
SPEER; DOE individuals 1-40, jointly and
23 severally; and ROE CORPORATIONS 1-40
joint and severally,

24 Defendants.
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CASE NO. 2:13-cv-01154-APG-CWH

JOINT STATUS REPORT

26 The parties, by and through their respective attorneys of record, respectfully submit the
27 following Joint Status Report pursuant to the Court's Order (ECF 111)

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1 **1. STATUS OF ACTION**

2 On October 10, 2016, Defendants City of North Las Vegas, Joseph Chronister, Michael
3 Waller, Drew Albers. David Cawthorn, Eric Rockwell, and Travis Snyder filed a Motion for
4 Summary Judgment (#111). Plaintiffs Anthony Mitchell, Linda Mitchell, and Michael Mitchell
5 filed a Response on January 10, 2017 (#119) and Defendant's filed a Reply (#129) on February
6 23, 2017.

7 On July 3, 2017, the Court entered an Order Granting in Part and Denying in Part
8 Defendant's Motion for Summary Judgment (#135).

9 **2. STATEMENT OF ACTION REQUIRED BY THE COURT**

10 Pursuant to the Court's Order (#135) the Parties discussed the remaining claims and agree
11 to the following:

- 12 1. The Parties agree that Plaintiffs' First Amendment claim DOES remain pending before the
13 Court;
- 14 2. The Parties agree that the Plaintiffs' Eighth Amendment claim DOES NOT remain
15 pending before the Court;
- 16 3. The Parties disagree on whether Plaintiffs Michael and Linda Mitchell have any remaining
17 claims against the NLV Defendants. The NLV Defendants position is that there are no factual
18 allegations included in the pleadings supporting any claims for trial. Plaintiffs contend that the

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1 pleadings are sufficient to state claims against the NLV Defendants. The Parties agree that they
2 will resolve this issue with pre trial motions.

3 SUBMITTED BY THE FOLLOWING COUNSEL OF RECORD:

4 Dated this 28th day of July, 2017.

Dated this 28th day of July, 2017.

5 LEWIS BRISBOIS BISGAARD & SMITH LLP

POTTER LAW OFFICES

6
7 /s/ Robert W. Freeman

/s/ Cal J. Potter, III

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